IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.2390 OF** 2006

Mahendra Waman Pagare & Ors..Petitioners

Vs.

Kapilvastu Co-op. Housing

Society Ltd.& Ors. ..Respondents

Mr. P.M. Havnur i/b. M.N. Havnur for Petitioners

Mr. R.D'Souza for respondent No.1.

Mr.Sanjay Udeshi i/b. Sanjay Udeshi & Co., for

respondent No.2.

CORAM: **F.I. REBELLO &**

ANOOP V. MOHTA, JJ.

DATE: 18TH SEPTEMBER 2006

P.C.

. On account of formal defect and subsequent documents learned Counsel seeks leave to withdraw the petition with liberty to file fresh petition on the same cause of action or other cause of action which will be available. Petition dismissed as withdrawn with leave as prayed for. No order as to costs.

(F.I. REBELLO, J)

(**ANOOP V. MOHTA,J).**